

RIGHTS, RESPONSIBILITIES AND OTHER IMPORTANT INFORMATION

For the Kin-GAP Program

These pages give you your rights and responsibilities and other important information. The county needs your facts and the child's facts to see if the child is eligible for Kin-GAP cash aid, food stamps, and/or Medi-Cal/State CMSP and to figure how much the child will get if the child is eligible. If you need more information or have questions, ask your worker.

Kin-GAP cash aid includes Kinship Guardianship Assistance Payment (Kin-GAP) Program.

Medi-Cal/State-run County Medical Services Program (CMSP) includes Full Medi-Cal/State CMSP benefits and Restricted Medi-Cal/CMSP emergency and pregnancy related care only.

YOUR RIGHTS

1. To be treated equally without regard to race, color, national origin, religion, political affiliation, marital status, sex, disability, or age. You may file a complaint of discrimination if you feel the child has been discriminated against by first speaking with your county's designated civil rights representative or by writing to the

State Civil Rights Bureau

744 P Street, MS 15-70

P.O. Box 944243

Sacramento, CA 94244-2430

or by calling **collect** (916) 654-2107 or for the hearing impaired TDD (916)-654-2098.

2. To tell the county if the child has a disability and needs help applying for or continuing to receive Kin-GAP cash aid, benefits, and services.
3. To ask for help to complete the application for any other cash aid, food stamp, or Medi-Cal/State CMSP program.
4. To ask for forms and notices to be translated if you don't read English.
5. To be treated with courtesy, consideration and respect.
6. To be interviewed promptly by the county when you apply and to have the eligibility determined within 45 days.
7. To discuss the child's case with the county and to review the child's case yourself when you request to do so.
8. To get Medi-Cal/State CMSP as soon as possible if the child has a medical emergency or is pregnant, if eligible.
9. To continue getting Kin-GAP and Medi-Cal benefits without a break if you move from one county to another if the child stays eligible.

10. To be told the rules for retroactive Medi-Cal/State CMSP eligibility.
11. Where available, to choose prepaid health plan (PHP), fee-for-service coverage (if available), Health Maintenance Organization (HMO), or Medi-Cal when the child is eligible for Medi-Cal/State CMSP.
12. To ask to have the child's Medi-Cal Benefits Identification Card (BIC), replaced if lost in the mail, damaged, or destroyed. The county will tell you if you are eligible. The child's BIC may also be replaced if lost or stolen.
13. To ask for extra money if the child's income drops or stops.
14. To be notified in writing when the child's application is approved, denied, or when the child's benefits change or stop.
15. To have the child's records kept confidential by the county and state, unless the child is getting Kin-GAP or Medi-Cal and there is a felony arrest warrant issued for the child, or as otherwise provided by law.
16. To talk with someone from the county or file a formal complaint with the state if you don't agree with an action taken by the county. You may call toll-free at 1-800-952-5253 or for the hearing impaired, TDD 1-800-952-8349.
17. To ask for a State Hearing within 90 days of the county's action and, if you think the child was not getting the right State CMSP services.
18. To ask for a State Hearing, you can write to your county or call the State toll-free telephone numbers listed in Item 16 above.
19. To appeal all State CMSP eligibility issues, you can **only write** to your county.
20. To be represented at a State hearing by yourself, a household member, friend, attorney, or other person of your choice. NOTE: You may get free legal help at your local legal aid office or welfare rights group.

YOUR RESPONSIBILITIES

Citizenship/Immigration Status

To sign under penalty of perjury that the child applying for Kin-GAP cash aid is a U.S. citizen, U.S. national or has lawful immigration status. Information you give us on immigration status will be checked with the U.S. Immigration and Naturalization Service (INS). Information we get from INS may affect the child's eligibility.

Social Security Number (SSN) Rules

The SSNs will be used in a computer match to check income and resources with records from tax, welfare, employment, the Social Security Administration and other agencies. Differences may be checked out with employers, banks or others. Making false statements or failing to report all facts or situations which affect eligibility and aid payments for Kin-GAP and Medi-Cal/State CMSP may result in repayment of benefits and/or criminal or civil action.

Kin-GAP and Food Stamps: You must give us the SSN for each applicant or recipient of Kin-GAP and/or food stamps. If you refuse to give us either a SSN or proof of application for a SSN, the child will not be able to get Kin-GAP. For Kin-GAP, you must give proof of application for a SSN within 30 days of application for Kin-GAP and give the SSN to the county when you get it.

Authority: Welfare and Institutions Code Section 11268.

Verification(s)

To give proof to support the child's eligibility. If you can't get proof, you will need to give the name of some other person or agency we may contact to get the proof. We will help you get proof when you can't get it.

Cooperation

To cooperate with county, state and federal staff. For Kin-GAP, a county worker can come to your home at any time to check out your facts, including seeing each family member, without calling ahead of time. The child may not get benefits or your benefits may be stopped if you don't cooperate.

Kin-GAP AND MEDI-CAL

To apply for any benefits or income anyone is eligible to get, such as: Unemployment (UIB) or Disability benefits, Veterans benefits, or Social Security etc.

Child/Spousal and Medical Support

To cooperate with the county and the District Attorney/Family Support Division (DA/FSD) to:

- identify and locate any absent parent in your case;
- tell the county or the DA/FSD any time you get information about the absent parent, such as place of residence or work location;
- determine the paternity of any child in your case when needed;
- obtain medical support money from any absent parent and, obtain child support money;
- give the DA/FSD any medical support money and, any child/spousal support money the child gets;
- tell the county about medical coverage or money for medical services paid by either parent.

MEDI-CAL

Benefits Identification Card (BIC)

- **To never throw the child's BIC away** (unless we give the child a new BIC). You need to keep the child's BIC even if the child stops getting Medi-Cal. The child can use the same BIC if the child gets Kin-GAP or Medi-Cal again.
- To take the BIC to the child's medical provider when the child is sick or has an appointment.
- To take the BIC to the medical provider who treated the child in an emergency situation as soon as possible after the emergency.

Health Care Coverage/Insurance

- To tell the county and any health care provider of any health care coverage/insurance the child has.
- To retain any health insurance available to the child at no or reasonable cost.
- To use any prepaid health plans, health maintenance organization or health care insurance plans the child has before using Medi-Cal/State CMSP, unless the plan does not offer the medical service needed. You need to use them because Medi-Cal will not pay for any service paid for and/or provided by these medical insurance plans.

YOUR REPORTING RESPONSIBILITIES

You must report all changes related to the child to the county. If you're not sure how to report changes, what changes to report, or what proof we need, ask your worker.

HOW YOU MUST REPORT

For Kin-GAP, you must report all changes related to the child to the county within 5 days.

WHEN YOU MUST REPORT

For Kin-GAP, you must report when:

1. The child gets money (including lump sums) from work, relatives, Social Security, Unemployment Insurance Benefits (UIB), Veterans benefits, tax refunds, accident or injury settlements, or any other source.
2. The child gets medical support money.
3. The child's job or training program changes.
4. The child's income or source of income changes, starts, or stops, including self-employment.
5. The child age 16 or older starts or stops school, college, or training.
6. The child moves out of your home.
7. You and/or the child moves to another address, plans to move (including out of state), or gets a new mailing address. If you move to another county and you want to keep getting benefits, you must tell the county giving you aid and/or benefits.
8. The child gets payments or allowances for job, training, or school expenses, such as educational grants and loans, transportation to and from job or training, etc.
9. The child gets married, separated, divorced, or died.

10. The child gets, sells, gives away or transfers real property, such as a home, buildings or land; or business or personal property, such as money, a bank account, a motor vehicle, a boat, a trust fund, etc.
11. The child's physical or mental illness begins or ends.
12. The child's citizenship or immigration status changes or the child gets a letter, form or new card from the INS.
13. The child becomes pregnant, gives birth, or ends a pregnancy.
14. The child or you goes to or gets out of jail/prison or juvenile hall.
15. The child's health care coverage/insurance changes or becomes available as a result of employment.
16. The child's parent(s) move into the home.

School Attendance and Immunizations

You must provide proof when requested by the county that:

- all school-age children receiving Kin-GAP are attending school, and
- Kin-GAP children under the age of 6 have received age appropriate immunizations.

Proof of Facts

If you ask for Kin-GAP within one year of the date it stopped, the county must look at your prior case file to see if it already has the proof needed to determine your eligibility when:

- you cannot get the proof, or
- there is a cost to you to get the proof, or
- processing your application would be delayed because it would take too long for you to get the proof.

If you ask for Kin-GAP within one year of the date it stopped AND, if the county doesn't have the proof it needs, then you will have to provide proof.

If you have new changes since the child last got Kin-GAP, the county will need new proof.

OTHER IMPORTANT INFORMATION

Kin-GAP Only

California Department of Education (CDE) Child Care

Child care benefits are available from CDE. Contact your local Resource and Referral Agency for more information.

Transitional Medi-Cal (TMC)

The child may get Medi-Cal for up to 12 months if the child goes off Kin-GAP because the child is working. The child must have gotten Kin-GAP for at least three of the last six months before cash aid stopped. To get more than six months of TMC, the child's income must be under certain limits and the child must meet TMC reporting rules.

Independent Living Program (ILP)

When the child reaches age 16, the child is eligible for ILP. ILP provides life skills education and services to foster youth age 16 or older. Please contact the county ILP Coordinator for assistance.

Income Disregards

If the child is participating in ILP, any income earned as part of the program is exempt. When the child has income other than ILP, the child may be entitled to other income deductions. NOTE: This income must still be reported.

Kin-GAP MONTHLY REPORTING

Budgeting Rules

The amount of Kin-GAP that the child can get depends on the child's income and allowable expenses.

Property Limit

There is a \$2000.00 limit on the amount of property (e.g., bank accounts, stocks, etc.) that the child can have and still get Kin-GAP. The individual vehicle value limit is \$4650. If the child has only one vehicle which is registered, and it has a value of less than \$4650, it will not be counted as part of the limit. If the child's vehicle is worth more than \$4650, anything over the limit will be used as part of the total property limit to determine eligibility, unless the vehicle is needed by the household for certain reasons. Your worker can tell you what these are. If the child has a vehicle that is unregistered, its value will be figured differently and your worker can explain to you how it is done.

***Transfer of Assets Rule**

The child can sell, exchange or change the form of their property holdings, if they get fair market value for the property (asset). If they do not get fair market value for the asset, the child will get a period of ineligibility. The period of ineligibility is figured by subtracting the amount received from the fair market value of the asset and then dividing that amount by the need standard for the family. The amount is rounded down to the next lower whole number. The whole number is the number of months the child is ineligible.

AVAILABLE SERVICES

Women, Infants and Children (WIC) Supplemental Nutrition Program

The WIC Program is only for pregnant and breast feeding women, infants and children under age 5, who are at medical-nutritional risk. For more facts about WIC, call your local county health department or the phone number for "WIC" in the telephone book.

Voter Registration

If the child wants to register to vote, ask your worker to send you a registration form. If the child needs help filling it out, ask your worker. You can mail the form yourself. The child's eligibility for aid will not be affected whether or not the child registers. Your worker will not tell the child how to vote.

Other Benefits

You or any one in your household may apply for any other benefit program such as CalWORKs, Food Stamps, Medi-Cal, Adoptions Assistance Payment Program, In-Home Supportive Services, etc.

PENALTY WARNINGS

If on purpose you don't report all facts or give wrong facts to get or keep getting Kin-GAP benefits, you can be legally prosecuted, and can be charged with committing a felony if more than \$400 is wrongly paid out for Kin-GAP, or Medi-Cal because you did not report all of the facts or changes in income, property, or family status.

Kin-GAP Penalties

If you do not follow Kin-GAP rules, you may be fined up to \$10,000 and/or sent to jail/prison for 5 years.

And if you are found guilty by a court of law or an administrative hearing of committing certain types of fraud, the child's Kin-GAP can be stopped for 6 months, 12 months, 2 years, 4 years, 5 years or forever.

RELATIVE LEGAL GUARDIAN CERTIFICATION		ELIGIBILITY WORKER'S CERTIFICATION	
<ul style="list-style-type: none">I understand my rights and responsibilities and agree to comply with my responsibilities.I also understand the penalties for giving incomplete or wrong facts, or for failing to report facts or situations that may affect the child's eligibility or benefit level.I certify I was given a copy of The Rights, Responsibilities, and Other Important Information (KG 2A).		<p>I certify that the relative legal guardian appears to understand:</p> <ul style="list-style-type: none">his/her rights and responsibilities andthe penalties for giving incomplete or wrong facts, or for failing to report facts or situations that may affect the child's eligibility or benefit level. <p>I also certify that the applicant/recipient was given a copy of:</p> <ul style="list-style-type: none">The Rights, Responsibilities, and Other Important Information (KG 2A).	
Signature (Relative Legal Guardian)		Date	
Witness, if You Signed With An "X"		Date	
Eligibility Worker's Signature	Eligibility Worker's Number	Date	